

112TH CONGRESS
1ST SESSION

H. R. 2606

To authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2011

Mr. GRIMM (for himself and Mr. MEEKS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To authorize the Secretary of the Interior to allow the construction and operation of natural gas pipeline facilities in the Gateway National Recreation Area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “New York City Natural
5 Gas Supply Enhancement Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) NATURAL GAS PIPELINE FACILITIES.—The
2 term “natural gas pipeline facilities” includes pipe
3 and related equipment necessary for the trans-
4 mission and distribution of natural gas, such as me-
5 ters, heating, and pressure-regulating devices used
6 in the transportation of natural gas.

7 (2) PERMIT.—The term “permit” means any
8 permit, easement, right-of-way, and any other au-
9 thorization necessary to allow the construction and
10 operation of natural gas pipeline facilities in the
11 Gateway National Recreation Area.

12 (3) LEASE.—The term “lease” refers to an
13 agreement that authorizes the occupancy and use of
14 the designated premises for natural gas pipeline fa-
15 cilities.

16 (4) PERSON.—The term “person” refers to an
17 entity holding a permit or lease issued under this
18 statute.

19 (5) SECRETARY.—The term “Secretary” means
20 the Secretary of the Department of the Interior.

21 **SEC. 3. PERMITTING INSTRUMENTS FOR NATURAL GAS**
22 **PIPELINE FACILITIES.**

23 (a) IN GENERAL.—The Secretary may issue permits
24 to allow the planning, construction, operation, and mainte-
25 nance of natural gas pipeline facilities in the Gateway Na-

1 tional Recreation Area. Any right-of-way issued shall be
2 consistent with the laws and regulations generally applica-
3 ble to utility rights-of-way within units of the National
4 Park System.

5 (b) TERMS AND CONDITIONS.—Permit issued under
6 this section shall be subject to such terms and conditions
7 the Secretary determines to be appropriate for the con-
8 struction and operation of the natural gas pipeline facili-
9 ties to the extent that such terms and conditions do not
10 conflict with State or Federal laws or regulations.

11 (c) PERMITS.—

12 (1) FEES.—The fee for any permit issued
13 under this section shall be based on the fair market
14 value of the rights granted in such permit.

15 (2) PENALTIES.—At request of the Secretary,
16 the Attorney General may bring a civil action
17 against any person holding a permit issued pursuant
18 to this section as applicable in the United States dis-
19 trict court to recover damages and response costs
20 under Public Law 101–337 (16 U.S.C. 19jj) or any
21 other applicable law in the event that—

22 (A) the person fails to comply with a provi-
23 sion of a permit issued under this section; and

24 (B) the failure destroys, results in the loss
25 of, or injures any park system resources (as de-

1 fined in section 1 of Public Law 101–337 (16
2 U.S.C. 19jj)).

3 **SEC. 4. LEASE AGREEMENT.**

4 The Secretary may enter into a lease agreement to
5 allow the occupancy and use of an aircraft hanger building
6 on Floyd Bennett Field to house facilities associated with
7 the operation of natural gas pipeline facilities. Such lease
8 agreement—

9 (1) shall not be subject to the limitations set
10 forth in sections 18.6, 18.7, 18.8, 18.9, and 18.10
11 of title 36, Code of Federal Regulations;

12 (2) shall provide for the restoration and mainte-
13 nance of such building and an appropriate payment
14 representing fair market value for use of the prop-
15 erty; and

16 (3) may provide for penalties for violations of
17 the lease agreement or for damage to the Gateway
18 National Recreation Area.

19 **SEC. 5. FEES.**

20 Rent proceeds and other fees generated in connection
21 with a lease agreement entered into under section 4 shall
22 be deposited in a special account dedicated solely for use
23 in the Gateway National Recreation Area, without restric-
24 tion, and shall not be subject to the limitations set forth
25 in section 3 of Public Law 91–383 (16 U.S.C. 1a–2(k)(5))

1 and section 111 of Public Law 89–665 (16 U.S.C. 470h–
2 3).

